

REMARKS

Applicants thank Examiner Jerome Grant II for having allowed:

- claims 25 through 27 in the March 17 Official Action, and
- claims 3 through 9, 14, 17 through 19, and 21 in the August 28 Official Action.

Applicants respectfully note that 27 claims remain in this case, and request confirmation that claims 25 through 27 remain allowed.

The Applicants also thank Examiner Grant for having indicated that certain claims would be allowed if suitably amended. Those two claims — claims 10 and 12 — have now been amended as specified. This amendment is believed to be proper after final rejection, in view of paragraph 4 (page 7) of the Official Action.

Section 102 rejections based upon Washio

In the Action it is said (pages 2 through 4) that Washio anticipates claims 1, 2 and 11. The Applicants respectfully traverse.

Washio fails to meet the basic language of these claims (emphasis added):

"receiving or generating . . . a device-color implementation of the image, including respective initial

representations of at least black ink and chromatic-color inks."

Washio's device-color data at the output of his "linear type masking" block 1 (his Fig. 1) are not the "initial" representations. Rather, they are derived from the "RGB" inputs to block 1, as shown and described by Washio.

Applicants' claim 1 wording is discussed and in effect defined in the Applicants' spec at pages 15 and 16. In that passage it is made clear that the "initial" representation is one prepared directly by a human (emphases in original):

"[B]y working with an initial black-ink quantity directly — that is, without first going through a preliminary transformation that obscures the original intent of a graphic artist or printing technician — this method preserves information about planned rendering of the image."

The text then explains how important this is (emphasis added):

"Because this aspect of the invention in its broadest form thus refrains from tampering with decisions of such personnel, this invention resolves a previously discussed problem of the prior art."

The Official Action would write the word "initial" out of the claims, even though it appears prominently in the definition of the "Field of the Invention" (page 1, emphasis added):

"This invention relates . . . particularly to preparations for . . . printing, based upon data initially in the form of device-state color specifications — such as . . . four-color separations."

and also appears in the "Background of the Invention" (page 2, emphasis added):

"This invention addresses . . . images initially prepared for printing in terms of four-color sep-

arations or equivalent . . . device-space language
....."

Applicants therefore submit that Washio cannot anticipate claim 1, 2 or 11. If the Examiner would prefer, however, Applicants would be glad to insert a suitable phrase such as "by a human being" after "generating" in each of the three claims.

Section 102 rejections based upon Horiguchi

In the Action it is further said (page 8, paragraph 6) that the Applicants' previous reasoning was faulty, in the following three details. The Applicants respectfully point out, however, that all three of these assertions in the Action are factually in error:

- 1) "applicant argues that Horiguchi is not prior art because it does not address printing dots. Upon closer view, the claims do not support printing dots. Applicant is arguing limitations which are not in the claims."

Applicants draw attention to claim 15, lines 1 through 3 (emphasis added): "An incremental printing system for forming an image by construction from dots deposited on a printing medium." Applicants would be glad to harmonize the other questioned claims by copying such language into those claims.

- 2) "assuming they were amended to include these limitations, they would be anticipated in view of col. 5, lines 10-22."

Horiguchi, however, in the cited passage does NOT ever propose to print dots, only to display dots

on a computer screen. That cited passage is only about one stage in Horiguchi's ongoing scheme for simulating hardcopy printing, and it culminates at top of the following column (column 6, lines 11 through 14) with this conclusion: "Output signals . . . are then supplied . . . to a color monitor 11 on which a desired color image can be displayed."

- 3) "applicant argues that Horiguchi does not print anything. The examiner contends that this statement is not true in view of col. 6, lines 49-52 and col. 3, lines 35-40 which addresses the printing of color images obtained from a color reading means."

Once again, Applicants most respectfully point out that in the very passages which are cited, Horiguchi is discussing how color printing can be simulated, not performed — see column 6, line 51, and column 4, lines 10 through 11 (referring to the equations presented in the cited column 3).

Applicants further draw attention to the discussion of Horiguchi in the June amendment, and particularly at page 19 of that amendment (emphasis in original):

"It may be confusing that Horiguchi takes into account the color of paper assumed in generating the simulation — but it is absolutely clear that he is not actually printing on the paper. Rather he is only taking into account how the color of the paper would affect the appearance of the image if it were to be printed on the paper."

Section 103 rejection based upon Washio and Horiguchi

In the Action it is further said that claim 13 is obvious over the combination of these two references. Claim 13, however, depends from claim 1 — which as pointed out above is immune to Washio, because Washio fails to disclose an initial origin of device-state data as recited in these claims.

Claim objections

As mentioned earlier, the Official Action (at page 7, section 4) objects to claims 10 and 12 as dependent upon a rejected base claim. Both of those claims have been rewritten as prescribed in the Official Action, and accordingly are believed to be in condition for allowance.

Conclusion:

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's favorable reconsideration and allowance of all the claims now standing in this case.

It is respectfully requested that, should there appear any further obstacle to allowance of the claims herein, the



Examiner telephone the undersigned attorney to try to resolve the obstacle.

Respectfully submitted,

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September 16, 2005

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